

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

**RECOVERY LIMITED PARTNERSHIP,
Plaintiff,**

v.

Civil Action No.: 2:87-cv-00363

**UNIDENTIFIED, WRECKED AND ABANDONED
SAILING VESSEL, etc.,
Defendant.**

ORDER

This matter comes before the Court on the Motion of Recovery Limited Partnership (RLP), ECF No. 338, pursuant to Local Civil Rule 5 and at the direction of this Court, as documents marked Exhibits 1–3 to the Memorandum in Support of Motion to File under Seal, ECF Nos. 341–43, were filed under seal. Exhibit 1 is the Plaintiff’s Confidential Status Report. ECF No. 341. Exhibit 2 is the Declaration of John B. Pidcock. ECF No. 342. Exhibit 3 is the Declaration of Craig T. Mullen. ECF No. 343. Upon consideration of the Motion and related filings, the Court is of the opinion that the motion should be granted.

There are three requirements the Court must consider for sealing court filings: (1) public notice with opportunity to object;^{*} (2) consideration of less drastic alternatives; and (3) a statement of specific findings in support of a decision to seal and reject alternatives to sealing. *Flexible Benefits Council v. Feldman*, No. 1:08-CV-371, 2008 U.S. Dist. LEXIS 93039 (E.D. Va. Nov. 13, 2008) (citing *Ashcraft v. Conoco, Inc.*, 218 F.3d 282, 288 (4th Cir. 2000)). Even when no party challenges a motion to seal, the Court must still ensure the motion is supported by good cause. *Auburn Univ. v. IBM Corp.*, No. 3:0-cv-694-MEF, unpublished, 2010 WL 3927737 (M.D. Ala. Oct. 4, 2010).


The Court FINDS that Exhibits 1–3 attached to the Memorandum in Support of Motion to File Under Seal, ECF Nos. 341–43, contain sensitive commercial information that is confidential in

^{*} See ECF Nos. 338, 339, and 340, filed May 30, 2025, on the public docket. No objections have been filed to date.

nature for RLP; public notice has been given; no objections have been filed; the public's interest in access is outweighed by the interests in preserving the confidentiality of this commercially-sensitive information; and there are no less drastic alternatives that appropriately serve these interests.

Accordingly, the Motion to Seal, ECF No. 338, is GRANTED. The Court ORDERS that Exhibits 1-3 to the Memorandum in Support of Motion to File under Seal, ECF Nos. 341-43, shall be and are hereby sealed and omitted from public filing. These documents shall remain sealed absent further order of the court.

This 23rd day of June, 2025.

/s/ 
Rebecca Beach Smith
Senior United States District Judge

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